

# O'TOOLE SCRIVO

A LIMITED LIABILITY COMPANY

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December 2, 2024

**Via CM/ECF**

Hon. Andre M. Espinosa, U.S.M.J.  
United States District Court, District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, Courtroom MLK 2D  
Newark, New Jersey 07101

**Re: *New Wallington Home, LLC, et al. v. Borough of Wallington, et al.***  
**Civil Case No.: 20-08178 (CCC) (AME)**

Dear Judge Espinosa:

This firm represents Plaintiffs in this matter. This status letter is sent jointly with counsel for Defendants seeking an extension of the current discovery deadlines.

On October 24, 2024, Plaintiffs filed a letter seeking to compel Defendants to provide availability for deposition dates, which were not forthcoming for some time. [ECF 91.] By Text Order dated October 25, 2024, the Court ordered Defendants to provide deposition availability on or before October 30, 2024. [ECF 92.] Defendants have complied with the Court's Text Order and the parties intend to complete the remaining depositions of Defendants' fact witnesses by December 31, 2024.

Based on the delay in scheduling depositions, Plaintiffs respectfully request an extension of the current remaining discovery deadlines by 45 days, as detailed below, to provide Plaintiffs' experts time to review the deposition transcripts. Defendants' counsel has consented to the below proposed schedule:

- (1) Plaintiffs' expert report(s) due by no later than January 31, 2025;
- (2) Defendants' expert report(s) due by no later than March 7, 2025;
- (3) Expert depositions be completed by no later than April 15, 2025; and
- (4) Dispositive motions to be served within 30 days of April 15, 2025.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ *James DiGiulio*  
James DiGiulio

cc: All Counsel of Record (via ECF)